

RAY FLAMM

IBLA 76-297

Decided February 4, 1976

Appeal from a decision of the Montana State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer M 32415.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:  
Applications: Drawings

A simultaneous oil and gas lease offer is properly rejected where the drawing entry card is postdated beyond the date of the drawing.

APPEARANCES: Ray Flamm, pro se.

OPINION BY ADMINISTRATIVE JUDGE HENRIQUES

Ray Flamm has appealed from the decision of the Montana State Office, Bureau of Land Management, dated October 8, 1975, rejecting his entry card for the September 1975 simultaneous drawing because the card had been postdated. Appellant's entry card for Parcel No. 365 had been drawn number one in the September drawing. His offer was rejected on the grounds that his card was postdated to March 16, 1976, and that this postdating voided his statement as to his "sole party in interest" status.

In his statement of reasons for appeal, appellant admits that he postdated the drawing card but states that it was merely a typographical error and he should not be deprived of his priority merely because of an inadvertent mistake.

[1] This Board has consistently held that failure to complete the statements relating to the offeror's status as a sole party in interest requires the rejection of the lease offer. Cf. Emily Sonnek, 21 IBLA 245 (1975); Mary West, 17 IBLA 84 (1974). This Board has

recently held, in Thomas Buckmann, 23 IBLA 21 (1975), that failure to sign the entry card mandates rejection of the lease offer. As we noted "the signing of the card is the certification of all other statements made on the card." Id. at 22. In like manner, postdating of the card renders the signature ineffective as of the time of its submission. Rejection under these circumstances is required.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Douglas E. Henriques  
Administrative Judge

We concur:

Martin Ritvo  
Administrative Judge

Anne Poindexter Lewis  
Administrative Judge

